

Adopted Amendments  
Official Code of Cobb County  
Chapters 54, 78 and 134  
Public Hearing Date  
March 25, 2008 – 7:00 pm  
Dirty Copy

Cobb County Community Development  
191 Lawrence Street  
Marietta, GA 30060  
[www.cobbcounty.org](http://www.cobbcounty.org)

Sec. 54-59. Hydrant obstruction and hydrant maintenance.

- (a) For private fire hydrants located at.....
- (d) Hydrants other than those owned and/or maintained by Cobb County Water System shall be flow tested every three years. Flow testing shall be done in accordance with requirements in the American Water Works Association M17 manual, "Installation, Field Testing, and Maintenance of Fire Hydrants." A site map showing flow and residual hydrants (numbered appropriately) shall be provided with each report. The flow test shall be performed by a qualified company on file with the Cobb County Fire Marshal's Office.

Sec. 54-60. Fire hydrant installation for existing apartment complexes.

(a) Existing apartment complexes. Apartment complexes in existence as of the effective date of this section shall, at a minimum, be brought into full compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards.

(b) Time period for submitting site plans. Apartment complexes in existence as of the effective date of this section which are in non-compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards must, within one (1) year of the effective date of this section, submit site plans for bringing the complexes into full compliance with the applicable standards to the Cobb County Fire Marshal's Office.

(1) With respect to apartment complexes in existence as of the effective date of this article, the fire marshal is authorized to provide notice to the building owner or agent of any apartment complex that is not in compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards. Within 60 days of receiving such notice of non-compliance, the building owner or agent of such owner shall file an "Intent to Comply" with the requirements of this section with the Cobb County Fire Marshal's Office. Such notice of intent to comply shall include:

- a. Contact information for the property owner, agent, and any personnel responsible for project compliance;
- b. The property owner's acknowledgement of the need to comply with state minimum fire safety standards and the Cobb County Development Standards within the time set forth in this section;

- c. A statement of the property owner's intention to comply, which should include a projected completion date for the installation of and/or flow rate correction of the fire hydrants; and
- d. The property owner's acknowledgement of the requirement to submit site plans for approval to the Cobb County Fire Marshal's Office no later than one (1) year after the effective date of this article;

(c) Time period for compliance. Any existing apartment complex that is not in compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards shall be required, at a minimum, to bring the apartment complex into full compliance within three years of the effective date of this section.

(Ord. of 7-26-05; Ord. of 7-25-06)  
Secs. 54-~~60-61~~--54-80. Reserved.

**Sec. 78-151. Condition of premises; orderly operation.**

All premises of an amusement activity shall be kept clean and in proper sanitary condition, and, when food is served in connection with the amusement activity, full compliance shall be maintained with the provisions and regulations governing the conditions of premises used for the storage and sale of food for human consumption. It shall be unlawful to permit any disturbance of the peace or obscenity. No person including but not limited to, an operator, owner, employee, manager, vendor or invitee of the amusement activity shall be allowed to camp or reside overnight with or without a recreational vehicle, tent, sleeping bag, vehicle or other structure at an amusement activity unless authorized to do so via a land use permit in accordance with section 134-36, except that the owner may allow a reasonable number of overnight security personnel, who may be either the owner, contracted agents or employees of the owner. The operator or owner shall not employ any person with a felony conviction within 5 years of application for an amusement activity permit/license.

Sec. 134-272. Traffic and parking.

Each use shall meet the following requirements:.....

(5) Off-street automobile parking. Off-street automobile parking shall be provided in accordance with all applicable provisions of this section.....

b. Location. All parking facilities shall be located in accordance with the following provisions:.....

4. Any parking facilities that will be located on the roof top of any structure, must obtain a special land use permit as required by section 134-37 of this chapter.

5. In the R-30, R-20, R-15, R-12, RD, RA-4, RA-5 and RA-6 districts, only one vehicle, one boat and one recreational vehicle (or any combination of such totaling three) may be parked in the rear and side yard areas on a hardened surface.

6. In the R-40, R-80 and RR districts, any combination of boats and recreational vehicles exceeding 3 must be screened from public roadways via a buffer (approved by Cobb County Landscape Architect) or fencing.

c. Surfacing. The parking of any vehicle on any lot in any district other than a surface treated and hardened with concrete, asphalt, tar and gravel mix, or the like, to accommodate such vehicle, is prohibited except as provided in this section. (All tires of vehicle must be on hardened surface.) The required number of surface treated and hardened parking spaces for any use or number of separate uses may be reduced via an administrative variance per 134-35, if: a) the reduced number of spaces is provided on pervious surface; or: b) documentation is submitted and approved by community development staff that indicates a reduced number of spaces is sufficient for the use or combination of uses provided that the area remains in a natural state or is landscaped. This reduction shall not allow for any increase in square footage of any use or number of separate uses. In addition, parking of vehicles within the front yard setback or in front of the principal building line in an R district shall be prohibited except on a hardened surface with concrete, asphalt, tar and gravel mix, or the like, driveway or in a carport or garage. (For the purpose of this section only, the use of concrete blocks, pavers, runners or the like, used as a treated and hardened surface, must be installed permanent and not loosely on top of the ground.)

**Sec. 134-277. Junk, abandoned or inoperative vehicles.**

(a) Any automobile, vehicle or trailer of any kind or type, without a valid license plate attached thereto, shall not be parked or allowed to stand on any residentially zoned property or other zoned property unless it shall be in a completely enclosed building or on property zoned HI heavy industrial, with a land use permit issued for the operation of an automobile wrecking business or junkyard.

(b) No automobile, vehicle or trailer of any kind or type, which shall be in an inoperative or junk condition, shall be parked or allowed to stand on any residentially zoned property or other zoned property unless it is:

- (1) In an enclosed building;
- (2) On the premises of a business enterprise operated in a lawful manner, when necessary to the operation of such business enterprise; or
- (3) On property occupied and used for repair, reconditioning or remodeling of vehicles in conformance with this chapter.

(c) Nothing in this section shall authorize the maintenance of a public or private nuisance as defined under other provisions of law.

(d) For purposes of this section, vehicles in an inoperative or junk condition shall include but not be limited to any automobile, vehicle, trailer of any kind or type, or contrivance or part thereof, the condition of which is one or more of the following:

- (1) Wrecked.
- (2) Dismantled.
- (3) Partially dismantled.
- (4) Inoperative.
- (5) Abandoned.
- (6) Discarded.
- (7) One which does not have a valid license plate attached thereto.

(e) This section shall not be the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles or contrivances within the unincorporated limits of the county and shall be supplemental and in addition to the other regulations and regulatory codes, ordinances, statutes or provisions of law

enacted by the county, the state or other legal entity or agency having jurisdiction.

~~(f) Any junk, abandoned or inoperative vehicle that remains on a property for longer than 30 days after due notice of violation has been provided per Sec. 2-102(2) of the Cobb County Code, may be removed by Cobb County or its duly authorized designee. Any expenses incurred in remedying the condition shall become payable within thirty (30) calendar days, after which a special assessment lien and charge shall be attached to the property, which shall be payable with interest at the rate of eight percent (8%) per annum from the date of such certification until paid.~~

~~Such lien shall be in favor of Cobb County, Georgia, and may be satisfied at any time by payment thereof including accrued interest. Notice of such lien shall be filed in the Office of the Clerk of the Superior Court and recorded among the public records of Cobb County, Georgia.~~

It is found and declared that vehicles found in violation of the provisions of this section constitute a public nuisance.

(g) (1) In addition to other remedies allowed by law, including O.C.G.A. § 40-11-1 et seq., if enforcement personnel find a vehicle in violation of the provisions of this section, the owner of the property shall be notified and requested to remove the vehicle. The notice shall be presented by both a physical posting on the property in the name of the property owner and by certified mail or personal delivery to the owner or owners as their names and addresses are shown on the tax records of the county. Notice shall be deemed complete and sufficient when so physically posted and personally delivered or mailed.

(2) The required notice shall contain the following:

A. Name(s) and address(es) of the owner(s) of the property, according to the public records of Cobb County, Georgia;

B. Location of the property on which the violation exists;

C. A statement by the enforcement officer that the property has been inspected pursuant to this section and that a violation of this section has been determined to exist on the property;

D. A description of the offending vehicle.

E. A requirement that the record owner of the property remove the offending vehicle within 30 calendar days from the date of the notice, failing which the county or its duly authorized designee will remove the vehicle and assess against the lot of record owner its costs for any necessary expenses incurred in removing the vehicle;

F. A statement that, if the costs and administrative charge are not paid within 30 calendar days of invoice date, a special assessment lien will be placed on the property, incurring interest at a rate of eight percent (8%) per annum; and

- G. A statement that the record owner of the property may, within 20 calendar days from the date of the notice, make a written request for a hearing before the board of commissioners for the purpose of showing that the cited condition does not constitute a violation.
- (3) Within 20 calendar days from the date of the notice, the owner of the property may make a written request to the board of commissioners for a hearing before that body to show that the condition does not constitute a violation of this section. Such request shall state the name of the property owner, the location of the cited property, and the grounds upon which the owner relies in order to show that the cited condition does not constitute a violation. At the hearing the county and the property owner may introduce such evidence as is deemed necessary. The board shall determine upon a preponderance of the evidence as to whether the towing of the vehicle is authorized by the laws of the state or the ordinances of the county.
- (h) If after 30 calendar days from the date of the notice no hearing has been requested and the vehicle described in the notice has not been removed, the enforcement officer or his/her designee shall cause the vehicle to be removed at the expense of the property owner. If a hearing has been held and has concluded adversely to the property owner, the code enforcement officer or his/her designee may cause the vehicle to be removed at the expense of the property owner after 72 hours unless the board of commissioners directs otherwise.
- (i) The removed vehicle shall be impounded until lawfully claimed or disposed of pursuant to the provisions of O.C.G.A. § 40-11-1 *et seq.*
- (j) Upon failure to comply after proper notice, the enforcement officer shall certify to the director of finance the expense incurred in the vehicle removal whereupon such expense shall become payable within 30 calendar days, after which a special assessment lien and charge shall be attached to the property, which shall be payable with interest at the rate of eight percent per annum from the date of such certification until paid. Such lien shall be in favor of Cobb County, Georgia, and may be satisfied at any time by payment thereof including accrued interest. Notice of such lien shall be filed in the office of the clerk of the superior court and recorded among the public records of Cobb County, Georgia.